

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No.: 14-cv-582-wmc

ONE 2004 AUDI A8 L QUATTRO,
VIN: WAUML44E2N006619,

Defendant.

GOVERNMENT'S APPLICATION FOR DEFAULT JUDGMENT

Plaintiff United States of America, by its attorney, John W. Vaudreuil, United States Attorney for the Western District of Wisconsin, by Elizabeth Altman, Assistant United States Attorney, hereby submits, pursuant to Rule 55 of the Federal Rules of Civil Procedure, this Application for a Default Judgment of Forfeiture. The government makes this request based on the following:

1. On August 21, 2014, the government filed a Verified Complaint of Forfeiture *in rem* against the defendant, One 2004 Audi A8 L Quattro, VIN: WAUML44E2N006619 (defendant conveyance). The complaint alleges that the defendant conveyance was used, or intended to be used, to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance, in violation of Title II of the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.* As such, the conveyance is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

2. Notice of the forfeiture action was served on all interested persons known by the government. Ronald Kimbrough, Jr was provided notice of the complaint by certified mail through his attorney, Farheen M. Ansari, on October 23, 2014. Ronald Kimbrough, Sr. was provided notice of the complaint by certified mail on September 12, 2014. The defendant conveyance was served on September 15, 2014.

3. Notice of the forfeiture complaint was published on the official internet government forfeiture site www.forfeiture.gov from September 20, 2014, through October 19, 2014.

4. The government has not received any other claim or answer within the time limits specified by Rule G (4) and (5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

5. Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, the Court may enter a judgment for affirmative relief when there has been a failure to plead or otherwise defend the complaint.

Based on the forgoing, the government asks that the Court enter a Default Judgment of Forfeiture conveying all right, title, and interest in the defendant conveyance to the United States of America.

Dated this 1st day of December 2014.

JOHN W. VAUDREUIL
United States Attorney

By: /s/ Elizabeth Altman
ELIZABETH ALTMAN
Assistant U. S. Attorney
222 W. Washington Avenue
Suite 700
Madison, Wisconsin 53703

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ONE 2004 AUDI A8 L QUATTRO,
VIN: WAUML44E2N006619,

Defendant.

AFFIDAVIT OF ELIZABETH ALTMAN IN SUPPORT OF
APPLICATION FOR DEFAULT JUDGMENT OF FORFEITURE

STATE OF WISCONSIN)
) ss.
COUNTY OF DANE)

I, Elizabeth Altman, being first duly sworn upon oath, hereby depose and say:

1. I am an Assistant United States Attorney for the Western District of Wisconsin and represent the United States of America in this action.
2. On August 21, 2014, the government filed a Verified Complaint of Forfeiture *in rem* against the defendant, One 2004 Audi A8 L Quattro, VIN: WAUML44E2N006619 (defendant conveyance). The complaint alleges that the defendant conveyance was used, or intended to be used, to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance, in violation of Title II of the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.* As such, the conveyance is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4). Dkt. No. 1.

3. Notice of the forfeiture action was served on all interested persons known by the government. Ronald Kimbrough, Jr was provided notice of the complaint by certified mail through his attorney, Farheen M. Ansari, on October 23, 2014. Ronald Kimbrough, Sr. was provided notice of the complaint by certified mail on September 12, 2014. The defendant conveyance was served on September 15, 2014. Dkt. No. 8.

4. Notice of the forfeiture complaint was published on the official internet government forfeiture site www.forfeiture.gov from September 20, 2014, through October 19, 2014. Dkt. No. 7.

5. The government has not received any other claim or answer within the time limits specified by Rule G (4) and (5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

6. Pursuant to Rule 55(a) of the Federal Rules of Civil Procedure, the Court may enter a judgment for affirmative relief when there has been a failure to plead or otherwise defend the complaint.

/s/ Elizabeth Altman
ELIZABETH ALTMAN
Assistant United States Attorney

Subscribed and sworn to before me
this 1st day of December 2014.

/s/ Sharon A. Martin
SHARON A. MARTIN
Notary Public, State of Wisconsin
My Commission Expires: 08/10/2018

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UNITED STATES OF AMERICA,

Plaintiff,

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Case No.: 14-cv-582-wmc

ONE 2004 AUDI A8 L QUATTRO,
VIN: WAUML44E2N006619,

Defendant.

ORDER FOR DEFAULT JUDGMENT

The United States of America, by its attorney, John W. Vaudreuil, United States Attorney for the Western District of Wisconsin, by Elizabeth Altman, Assistant United States Attorney, filed a Verified Complaint of Forfeiture *in rem* against the defendant 2004 Audi A8 L Quattro, VIN: WAUML44E2N006619.

The complaint alleged that the defendant conveyance was used, or intended to be used, to facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance, in violation of Title II of the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.* As such, the conveyance subject to forfeiture pursuant to 21 U.S.C. § 881(a)(4).

Notice of this action was accomplished by personal service to all persons known by the government to have an interest in the defendant conveyance. Notice of the forfeiture complaint was also published on the official internet government forfeiture

site www.forfeiture.gov from September 20, 2014, through October 19, 2014. The notices required that any claimant file a claim in this action.

No claim, answer, or responsive pleadings have been filed pursuant to Rule G (4) and (5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

The United States of America has made application to this Court for a default judgment to be entered,

IT IS HEREBY ORDERED, ADJUDICATED, AND DECREED that:

1. The Default Judgment of Forfeiture is hereby entered whereby all right, title, and interest in the defendant 2004 Audi A8 L Quattro, VIN: WAUML44E2N006619 is conveyed to the Plaintiff, United States of America.
2. The United States Marshal Service is directed to dispose of the defendant conveyance in accordance with federal law.

DATED: December 2, 2014

BY THE COURT:

WILLIAM M. CONLEY
United States District Judge

Entered this 3d day of December 2014.

Peter Oppeneer
PETER OPPENEER, Clerk of Court
United States District Court